

Ordinance # 45

100.000

**NUISANCE ORDINANCE
VILLAGE OF NORTHPORT, MICHIGAN**

An ordinance to defining common public nuisances, prohibiting a creation or maintenance and providing a method for their abatement by the proper authorities of the Village of Northport.

THE VILLAGE OF NORTHPORT ORDAINS:

100.001 SECTION 1: Definitions:

Public nuisances are hereby declared to be those things, acts or uses of property which a) annoy, injure, or endanger the safety, health, comfort or repose of the public, b) in any way render the public insecure in life or in the use of their property.

100.002 SECTION 2: Creation or Maintenance of Public Nuisances.

It shall be unlawful for any owner, possessor, or occupier of any lot or premises, occupied or vacant, within the village limits, or any person, firm or corporation having charge of such lot or premises to cause or permit to continue unabated any condition, as hereinafter defined, which in the judgement of the village fire chief, health officer or village president or both may constitute either a fire hazard or health menance or a combination of the same.

100.003 SECTION 3: Classification of Various Nuisances.

The following represents a partial list of said conditions above referred to which may, in the judgment of the fire chief, health officer or village president or both, be declared to be public nuisances and such be subject to abatement therof as hereinafter provided for: accumulations of earth, ashes, mortar, papers,,stone, brick, dirt, manure, filth, excrement, chips, or rubbish of any description, dead animals, cess pools, drains, etc., garbage or any type of a storage establishment using a screening process in connection with its business in such condition as to cause a noisome, offensive, or unwholesome smell, to be dangerous to public health.

100.004 SECTION 4: Notice to Abate Nuisances.

It shall be the duty of the village fire chief or health officer or village president or both such officers acting in unison if the condition investigated represents a combined fire hazard and health menance, to give such general notice as provided for in the State law in the matter of cutting of noxious weeds, to the owner, possessor or occupier of said property, or the person, firm or corporation having charge of same on which any or all of the conditions as herein

describe, exist. Said notice shall describe in complete detail the condition or conditions which are deemed to be public nuisances and which require the abatement thereof within a period of... days of said notice. The notice shall further state that failure to comply with its terms within the specified period shall make said lot or premises liable for the necessary expenses incurred by the village in adopting such measures needed to abate said nuisances as defined in the aforesaid notice.

100.005 **SECTION 5:** Abatement by the Village Upon Failure of Person Responsible.

in the event that the owner, possessor, or occupier, or any person, firm, or corporation having charge of such lot or premises fails or refuses to comply with the abatement notice as provided in Section 4, it shall be the duty of the village fire chief or the health officer, or village president, or both as the case may be, to direct the village maintenance department to take the necessary steps to abate and remove such nuisance or nuisances as described in said notice of abatement.

100.006 **SECTION 6:** Expense Incurred to Constitute Lien Against Property. The maintenance department shall keep a record of all the necessary expense incurred in the removal or abatement of said nuisance or nuisances as caused by the failure or refusal of the period of time and shall submit said expense statement to the village assessor who shall be responsible for levying against the said lot or premises a special assessment or benefit tax to become a lien against the said lot or premises and collectible the same as all other taxes so assessed.

100.007 **SECTION 7:** Reversibility Clause. Should any word, sentence, or section of this ordinance be declared to be invalid or unconstitutional by the courts of this state such holding shall not be construed to affect the validity or constitutionality of the remaining portions of said ordinance.

100.008 **SECTION 8:** Repeal
Any ordinance or parts of ordinance in conflict with the provision contained herein are hereby repealed.